



State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
PO BOX 080
TRENTON, NJ 08625-0080

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

GURBIR S. GREWAL
Attorney General

THOMAS J. EICHER
Director, OPIA

November 27, 2018

Hon. Stephen M. Sweeney
President of the Senate
935 Kings Highway, Suite 400
West Deptford, New Jersey 08086

Hon. Craig J. Coughlin
Speaker of the Assembly
569 Rahway Avenue
Woodbridge, New Jersey 07095

Dear Senate President Sweeney and Speaker Coughlin:

Please be advised that the Office of Public Integrity & Accountability (“OPIA”) has completed its review of Hudson County Prosecutor Esther Suarez’s involvement in the 2017 investigation of the certain allegations of sexual assault made against a government official who was a member of the Governor’s transition team. In particular, OPIA reviewed whether the Prosecutor improperly influenced the resolution of the investigation due to a conflict of interest or otherwise. It should be understood that OPIA’s review did not include the substantive decision about whether criminal charges should or should not be brought for the underlying conduct at issue, given that the Middlesex County Prosecutor’s Office is conducting that evaluation.

Generally speaking, Internal Affairs investigations conducted by the Attorney General’s Office are confidential and the findings of such investigations are not made public. However, Senate Concurrent Resolution No. 148, which established the New Jersey Legislative Select Oversight Committee, expressly postponed any committee review of “the appropriateness of the Hudson County Prosecutor’s actions to oversee the handling of the certain allegations of sexual assault by the Government Official” until “the completion of the Attorney General’s review, but not later than January 5, 2019.” In this rare instance, I have determined that it is appropriate to share the findings of OPIA’s investigation. My decision to do so is based not only on the Legislature’s willingness to defer to my Office on this investigation – an issue I addressed in my November 7, 2018 letter to you – but also on the Hudson County Prosecutor’s explicit request that my Office conduct a review and make its findings public.

As part of its review, OPIA examined the complete investigative file of the HCPO for this matter, as well as other documents, including emails related to the investigation. OPIA also interviewed the investigating detective and her supervisors, the assistant prosecutor and her supervisors, and Prosecutor Suarez and her executive staff. In conducting its review, OPIA was given full access to all individuals and information as requested.



Based on this review, OPIA found no evidence that Prosecutor Suarez acted improperly in any respect regarding this investigation. According to all of those interviewed, the Prosecutor had no involvement in the manner in which the investigation was conducted, or in the decision about whether to bring charges. OPIA's review revealed that those decisions were made by career investigators and prosecutors who exercised their independent judgments, free from any interference by the Prosecutor.

As I stated in my November 7 letter, I have great confidence in the thoroughness and objectivity of OPIA's work, and I believe this review obviates the need for further legislative inquiry on this matter.

Thank you for your consideration.

Respectfully submitted,



Gurbir S. Grewal
Attorney General

c: Hon. Thomas H. Kean, Jr., Senate Minority Leader
Hon. Jon M. Bramnick, Assembly Minority Leader
Hon. Loretta Weinberg, Co-Chair, New Jersey Legislative Select Oversight Committee
Hon. Eliana Pintor Marin, Co-Chair, New Jersey Legislative Select Oversight Committee
Hon. Kristin Corrado, Co-Vice Chair, New Jersey Legislative Select Oversight Committee
Hon. Nancy Muñoz, Co-Vice Chair, New Jersey Legislative Select Oversight Committee